



## Staff Report

### October 10, 2017

**TO:** Honorable Mayor and Members of the Town Council  
**FROM:** Sean Rabé, Town Manager  
 Britton Snipes, Town Engineer/Public Works Director  
**DATE:** October 4, 2017  
**RE:** Landscaping for Taylor Road Project

#### **Recommendation**

Staff recommends the Council adopt the attached resolution authorizing the Town Manager to directly negotiate with a contractor for the landscaping portion of the Taylor Road project. Staff further recommends the Council authorize the Town Manager to enter into a contract with a selected contractor for the landscaping work on a not to exceed amount of \$240,000.

#### **Issue Statement and Discussion**

As the Council knows, the Taylor Road project is progressing on schedule, with the exception of the landscaping portion of the project. The Town originally bid the landscaping work as a bid alternate to the project.

Bids for the full project were opened March 6, 2017. The lowest bidder (Martin Brothers Construction) bid \$ 967,286. The other bidder (Western Engineering) bid \$ 379,560. Because the bid alternate was much more than estimated and was more than double the next lowest bidder the Town elected not to pursue the bid alternate (landscaping portion of the project). The construction contract was awarded to Martin Brothers at the April 11 Council meeting, and direction was given to staff to prepare a separate Request for Proposals (RFP) for the landscaping portion of the project.

The landscape plans were then repackaged into a separate bid package. This bid package was advertised on the Town website from August 3 to August 24, and was published in the August 3 and August 10 issues of the Loomis News. Bids were due and scheduled to be opened at 3:00 PM on August 24. Unfortunately, the Town received no bids.

Public Works Director Britton Snipes followed up by calling landscaping companies and general contractors to find out why the Town received no bids. Those companies noted that with the increase in construction, many of the laborers moved to the Bay Area because wages were higher. They also said that they were not currently bidding work because they were struggling to fulfil their current contracts.

According to California Public Contracting Code Section 20166, the Town can now directly negotiate with potential companies to bid the work. According to PCC 20166, "In its discretion, the legislative body may reject any bids presented and readvertise. If two or more bids are the same and the lowest, the legislative body may accept the one it chooses. If no bids are received, the legislative body may have the project done without further complying with this chapter." In order to keep the project as close to schedule as possible, Staff recommends authorizing the Town Manager to directly negotiate pricing with landscaping companies to complete the work.

Assuming Council adopts the attached resolution authorizing the Town Manager to directly negotiate pricing for the landscaping work, Staff further recommends the Council authorize the Town Manager to enter into a contract with the selected firm on a not-to-exceed amount of \$240,000. That amount is already included in the budget for the project.

**CEQA Requirements**

There are no CEQA requirements associated with the recommended action.

**Financial and/or Policy Implications**

The \$240,000 not-to-exceed contract amount is already included in the project budget.

**Attachment**

A. Resolution

**TOWN OF LOOMIS**

**RESOLUTION NO. 17 - \_\_**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS AUTHORIZING THE TOWN MANAGER TO DIRECTLY NEGOTIATE WITH LANDSCAPING FIRMS FOR THE TAYLOR ROAD IMPROVEMENT PROJECT IN ACCORDANCE WITH CALIFORNIA PUBLIC CONTRACT CODE SECTION 20166 AND AUTHORIZING THE TOWN MANAGER TO ENTER INTO A CONTRACT FOR SAID LANDSCAPING WORK NOT TO EXCEED \$240,000**

**WHEREAS**, the Town desires to construct the landscaping portion of the Taylor Road Improvement Project; and

**WHEREAS**, the landscaping portion of the project was advertised for bids on August 3, 2017 in accordance with the requirements of State Law and local ordinances; and

**WHEREAS**, no bids were received on August 24, 2017; and

**WHEREAS**, the California Public Contract Code Section 20166 states that, "if no bids are received, the legislative body may have the Project done without further complying with the public bid process; and

**WHEREAS**, staff then evaluated options with regard to completing some or all of the work and determined it would be infeasible for staff to complete the work; and

**WHEREAS**, the Town Manager is now seeking authorization from the Town Council to directly negotiate pricing with qualified landscaping firms in order to complete the project, per PCC Section 20166; and

**WHEREAS**, the Town Manager is further seeking authorization from the Town Council to enter into a contract with a qualified landscape firm on a not-to-exceed amount of \$240,000; and

**WHEREAS**, the Taylor Road Improvement Project has adequate funding for said work.

**NOW, THEREFORE BE IT RESOLVED**, that the Loomis Town Council does hereby authorize the Town Manager to directly negotiate pricing with qualified landscaping firms in order to complete the project, per PCC Section 20166, and further authorizes the Town Manager to enter into a contract for said work in an amount not to exceed \$240,000.

PASSED AND ADOPTED this 10<sup>th</sup> day of October, 2017, by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Charleen Strock, Town Clerk